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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,412	11/29/1999	SEIICHI ISOGUCHI	KOT-0002	7595
23413	7590	05/20/2004	EXAMINER	
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			TRAN, DOUGLAS Q	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 05/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/450,412

Applicant(s)

ISOGUCHI ET AL.

Examiner

Douglas Q. Tran

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/29/99 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Request For Continued Examination

1. The request filed on 02/27/04 for a Request For Continued Examination (RCE) Pursuant to 37 CFR 1.114, based on the Application Serial No. 09/450,412. An action on the RCE follows.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 5-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Squilla et al. (US Patent No. 6,623,528).

As to claim 5, Squilla teaches a print producing system (fig. 2), comprising:

an operating device (31 in fig. 2) to input identification information of a customer (i.e., customer name), and relevant information which includes at least one of color, hue, chroma, brightness, sharpness, and hardness, as preferences of the customer about finishing of a color image print (col. 4, lines 44-46: the operator enters the customer name "identification information of a customer" and relevant information such as quantity..., and col. 2, 44-48: more relevant information such as correction of brightness or color content; and col. 4, lines 55-57: more relevant information related to image information);

Art Unit: 2624

a memory device (i.e., the image storage 24 in fig. 2) to memorize a paired data set of the relevant information paired with the identification information, inputted by the operating device so that the memory device memorized a plurality of different paired data sets of plural different customers having respective different identification information (col. 2, line 66 to col. 3, line 16: the memory 24 for storing the paired data of the relevant information paired with the identification information);

an order receiving device (i.e., the processor 33 in fig. 2) to receive the identification information, color image data to be printed, and print producing information which contains at least one of print size and print quantity, from the customer (col. 4, lines 47-59);

a controller (i.e., the processor 33 in fig. 2 which would be also considered as a controller) to obtain the relevant information of the customer from the plurality of different paired data sets memorized in the memory device, by using the identification information received by the order receiving device (col. 4, lines 47-51: the processor 33 receiving high resolution image data from the memory associated with the unique image identification numbers from index print 18. Thus, the relevant information of the customer from the plurality of different paired data sets memorized in the memory 24) ; and

a print producing device (i.e., the digital image processor 32 in fig. 2) to produce the color image print, based on the color image data, the print producing information, and the relevant information (col. 4, lines 59-62: the digital image processor 32 reproducing by rendering image pages and inherently based on the information from the processor 33 in fig. 2).

As to claim 6, Squilla discloses every feature discussed in claim 5, and further teaches the print producing device uses the same relevant information frequency, to produce the print of

Art Unit: 2624

following orders placed by the customer having the same identification information (col. 4, lines 59-61 describes that the processor 32 assembles and renders the photocollage pages. Thus, it would be understood that the processor 32 uses the same relevant information frequency to produce the print of following orders placed by the customer having the same identification information).

As to claims 7 and 8, Squilla discloses every feature discussed in claim 5, and further teaches the operating device rewrites "or changes" the relevant information, based on the proposal of the customer having the same identification information (col. 2, lines 66-67: the high resolution images are archived in image storage 24 for future use. and col. 4, lines 44-49 describes that the operating device 31 for enters the customer name and relevant information, then the processor just generates new list of images based on the information from the operator interface and the high resolution images, which were previously stored in the image storage 24. Thus, it would be understood that the operating device rewrites or changes the relevant information based on the proposal of the customer having the same identification information).

As to claim 9, Squilla discloses every feature discussed in claim 5, and further teaches a transmitting receiving unit (the photo collage processor 33 in fig. 2) receives the identification information, the color image data to be printed, and the print producing information, through a network (i.e., Internet or network in fig. 2) (the photo collage processor 33, which would be a transmitting receiving unit, for receiving the print information from the operator interface 31 in fig. 2 via the network).

As to claim 10, Squilla discloses every feature discussed in claim 5, and further teaches the order receiving device and the print producing device are connected through a network (i.e., a

Art Unit: 2624

network in fig. 2, col. 4, lines 65-67).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Squilla as applied to claim 10, in view of the well known in the prior art (col. 4, line 65 to col. 5, line 7 from the same reference of Squilla).

As to claim 11, Squilla discloses every feature discussed in claim 10.

Although Squilla does not teach the order receiving device at a first site and the operating device, the controller and the print producing device are located at a second site, Squilla teaches the each of the component has an interface to either the first side "i.e., the internet "i.e., there is only one side" or some other network "i.e., there are more than one side"; and the structural system is very flexible change (col. 4, line 65 to col. 5, line 7). Therefore, the limitations of "the order receiving device at a first site and the operating device, the controller and the print producing device are located at a second site" would be obvious to modifies to the system of Squilla. Such a modification would be increase the flexibility of the printing system for easily being rearranged.

Art Unit: 2624

Response to Arguments and Amendment

Applicant's arguments with respect to claims 5-11 have been considered but are moot in view of the new ground(s) of rejection. This action is made **non-final**.

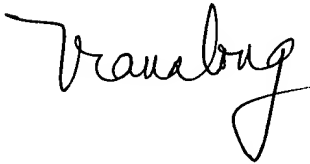
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran

May. 14, 2004

A handwritten signature in cursive script, appearing to read "Tran Douglas", is written in black ink.